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SUBJ: CCD - THIRD DRAFT OF NWFZ STUDY, CHAPTER V

FOLLOWING IS TEXT OF THIRD DRAFT OF CHAPTER FIVE (VERIFICATION AND CONTROL). IT WAS DISTRIBUTED TO EXPERTS JULY 29. DRAFT WILL BE REVISED FURTHER BY EXPERTS. BEGIN TEXT.

V. VERIFICATION AND CONTROL

1. OBJECTIVE AND SCOPE

1. THE QUESTION OF VERIFICATION AND CONTROL OF COMPLIANCE BY STATES PARTIES WITH THE OBLIGATIONS OF AGREEMENTS IN THE FIELD OF DISARMAMENT HAS ALWAYS BEEN IN THE FOCUS OF NEGOTIATIONS. THE PAST SOLUTIONS TO THAT PROBLEM HAVE DIFFERED FROM TREATY TO TREATY, DEPENDING ON WHAT OBLIGATIONS OF WHICH STATES WERE TO BE VERIFIED. AS TO NUCLEAR-WEAPON-FREE ZONES, BOTH THE TREATY OF TLATELOLCO AND THE TREATY OF ANTARCTICA INCLUDE PROVISIONS FOR VERIFICATION TO ENSURE THE ABSENCE OF NUCLEAR WEAPONS FROM THE ZONES, WHOSE PROCEDURES DIFFER SUBSTANTIALLY.

2. IN ORDER TO ENSURE THAT A NUCLEAR-WEAPON-FREE ZONE WILL FUNC-

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TION EFFECTIVELY, IT IS NECESSARY TO DEVISE A SYSTEM OF VERIFICA-

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TION AND CONTROL TO ENSURE THAT ALL THE STATES INVOLVED ARE COMPLYING STRICTLY WITH THE TERMS ON WHICH THE NUCLEAR-WEAPON-FREE REGIME HAS BEEN CONCEIVED IN EACH CASE AND THE OBLIGATIONS WHICH THEY HAVE UNDERTAKEN. THE PRECISE NATURE OF THE VERIFICATION AND CONTROL SYSTEM WILL VARY FROM REGION TO REGION AND DEPEND ON THE TYPE OF OBLIGATIONS WHICH ARE TO BE UNDERTAKEN BY PARTIES TO A TREATY ESTABLISHING THE NUCLEAR-WEAPON-FREE ZONE. GENERALLY IF THE TREATY SO PRESCRIBES IT WOULD HAVE TO INCLUDE BOTH VERIFYING THE STRICT COMPLIANCE WITH FUNDAMENTAL OBLIGATIONS ENTERED INTO IN RELATIONS TO THE COMPLETE ABSENCE OF NUCLEAR WEAPONS FROM THE ZONE; AND THE SETTLEMENT OR CONSIDERATION OF ISSUES OF NON-COMPLIANCE THAT MAY ARISE. PRESCRIBED SYSTEMS MAY INCLUDE BOTH ROUTINE AND AD HOC PROCEDURES AND SHOULD ASSURE A SIFFICIENT PROBABILITY OF DETECTING VIOLATIONS. SUCH SYSTEMS SHOULD BE BASED ON THE PRINCIPLE OF COMPLETE EQUALITY OF STATES. IT IS UNDERSTOOD THAT THE TERMINOLOGY USED IN THIS CHAPTER WILL COMPLY WITH THE DIFINITIONS USED AND OPERATIVE PROVISIONS REFERRED TO IN CHAPTER IV.

3. AN EFFECTIVE BERIFICATION SYSTEM COULD CREATE CONFIDENCE AMONG THE STATES MEMBERS OF THE ZONE AND IN THEIR RELATION TO EXTRA-ZONAL STATES. IT WOULD ALSO OFFER ASSURANCES THAT THERE WAS NO DIVERSION OF NUCLEAR ENERGY OF ZONAL STATES TO NUCLEAR WEAPONS IN THE ZONE AND, BY ASSURING THAT, COULD FACILITATE COOPERATION IN THE PEACEFUL USE OF NUCLEAR ENERGY AMONG THE ZONAL STATES AND BETWEEN SUCH STATES AND STATES OUTSIDE THE ZONE.

4. A VERIFICATION AND CONTROL MACHINERY SERVING A NUCLEAR-WEAPON-FREE ZONE MIGHT INCLUDE THE FOLLOWING FUNCTIONS: (A) FACT-FINDING MACHINERIES; (B) PROCEDURES FOR CONSULTATIONS BETWEEN INDIVIDUAL STATES AND FORA FOR MULTILATERAL CONSULTATIONS, RECOMMENDATIONS AND OTHER ACTIONS. IF SEVERAL OTHER ARMS CONTROL TREATIES ARE IN FORCE FOR ZONAL STATES THE HARMONIZATION AND COOPERATION BETWEEN THEIR RESPECTIVE CONTROL PROCEDURES COULD BE VENEFICIAL. IT CAN, FOR INSTANCE, BE FORESEEN THAT MEMBERS OF A NUCLEAR-WEAPON-FREE ZONE COULD ALSO BE PARTIES TO THE NPT AND OTHER TREATIES. THE COLLABORATION BETWEEN CONTROL MACHINERIES OF SEVERAL NUCLEAR-WEAPON-FREE ZONES MIGHT ALSO BE OF VALUE DEPENDING ON THE CIRCUMSTANCES.

5. AS TO THE FACT-FINDING PART OF A CONTROL SYSTEM, STATES WOULD ALWAYS HAVE THE POSSIBILITY, IN RELATION TO ANY TREATY, TO USE THEIR NATIONAL MEANS OF VERIFICATION IN ACCORDANCE WITH INTERNA-

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TIONAL LAW. IF THIS IS NOT CONSIDERED SUFFICIENT, IN WHOLE OR IN PART, ADDITIONAL INVESTIGATION POSSIBILITIES REQUIRING THE COOPERATION OF PARTIES COULD BE PRESCRIBED IN THE TREATY. SUCH SYSTEMS, THEIR CAPABILITIES, EFFECTIVENESS, OPERATIONAL PROCEDURES AND POSSIBLE PROVISION FOR INSPECTIONS, SHOULD BE ADJUSTED TO THEIR PURPOSE, THAT OF ASCERTAINING FACTS WHICH ARE NECESSARY AND RELEVANT FOR A POLITICAL SETTLEMENT OF DISPUTED EVENTS.

6. THE TASK OF VERIFYING A NUCLEAR-WEAPON-FREE ZONE AGREEMENT

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WOULD FALL INTO TWO MAIN CATEGORIES. ONE IS ENSURING THAT ZONAL STATES DID NOT DEVELOP OR ACQUIRE NUCLEAR WEAPONS. THIS PART OF THE PROBLEM COULD BE SOLVED BY MEANS OF APPLYING IAEA SAFEGUARDS ON ALL NUCLEAR MATERIALS IN ZONAL STATES. THE OTHER MAIN TASK IS TO ENSURE THAT NUCLEAR WEAPONS AREIFOT INTRODUCR INTO THE ZONE FROM OUTSIDE QDD THAT SUCH WEAPONS ARE PROPERLY WITHDRAWN IF PRESENT IN THE AREA BEFORE THE ESTABLISHMENT OF THE ZONE.
7. AS ONE OF THE BASIC OBJECTIVES OF NUCLEAR-WEAPON-FREE ZONES WOULD BE A CONTRIBUTION TO NON-PROLIFERATION OF NUCLEAR WEAPONS, ITS CONTROL SYSTEM SHOULD, AS A MINIMUM, COMPRISE THE FULL APPLICATION OF IAEA SAFEGUARDS TO ALL NUCLEAR ACTIVITIES WITHIN THE ZONE. IAEA'S SAFEGUARDS WOULD BE THE APPROPRIATE SET OF PROCEDURES TO APPLY, AND THEY SHOULD COVER ALL NUCLEAR ACTIVITIES OF STATES MEMBERS OF THE ZONE. SUCH SAFEGUARDS WOULD PROVIDE BOTH FOR NECESSARY VERIFICATION ON A ROUTINE BASIS OF NUCLEAR ACTIVITIES AND ALSO FOR A REPORTING PROCEDURE ON POSSIBLE DISCLOSURES OF EVENTS OF POSSIBLE NON-COMPLIANCE. ON THE OTHER HAND, HOWEVER, PRESENT IAEA SAFEGUARDS WOULD ONLY VERIFY NUCLEAR ACTIVITIES THAT ARE DECLARED TO THE AGENCY. THEREFORE, IT WAS FELT NECESSARY THAT ZONE TREATIES PRESCRIBE THAT ALL NUCLEAR ACTIVITIES WITHIN ZONAL STATES SHALL BE DECLARED.

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8. AS THERE ARE LIMITS TO WHAT VERIFICATION TASKS CAN BE UNDERTAKEN BY IAEA, IT WOULD THUS BE NECESSARY, DEPENDING ON THE PROVISIONS OF THE ZONE TREATY IN EACH CASE, TO PROVIDE FOR ADDITIONAL VERIFICATION THAT NUCLEAR WEAPONS ARE NOT INTRODUCED INTO THE ZONE FROM OUTSIDE, AND IF SUCH WEAPONS WERE PRESENT IN THE AREA BEFORE THE ESTABLISHMENT OF THE ZONE, THAT THEY ARE PROPERLY WITHDRAWN. SUCH ADDITIONAL VERIFICATION COULD IMPLY PERMITTING INSPECTORS TO VISIT MILITARY INSTALLATIONS, NAVAL VESSELS AND MILITARY AIRCRAFT WITHIN THE ZONE AND COULD BE EXTENDED TO COVER COMMITMENTS UNDERTAKEN IN SAFETY AREAS. IT COULD ALSO COVER, IF PRESCRIBED IN THE ZONE TREATY, THAT NUCLEAR WEAPONS ARE NOT TRANSPORTED OUTSIDE THE ZONE BY SHIPS AND AIRPLANES BELONGING TO ZONAL STATES. IT SHOULD BE RECOGNIZED THAT ADEQUATE VERIFICATION IN ANY AREA OF THE HIGH SEAS, IF SUCH AREAS ARE INCORPORATED IN NUCLEAR-WEAPON-FREE ZONES AND IN MILITARY BASES OF NUCLEAR WEAPON STATES, IN CASE SUCH BASES ARE SITUATED INSIDE NUCLEAR-WEAPON-FREE ZONES, WOULD RAISE SPECIFIC PROBLEMS WHICH SHOULD BE FULLY TAKEN INTO ACCOUNT IN THE ESTABLISHMENT OF SUCH ZONES. ANOTHER TASK OF THE ZONE'S VERIFICATION AND CONTROL SYSTEM SHOULD BE TO VERIGY THAT ALL NUCLEAR ACTIVITIES IN THE ZONE HAVE BEEN DECLARED TO THE
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IAEA.
9. EXISTING REGIONAL OR INTERNATIONAL ORGANIZATIONS MIGHT BE ABLE TO UNDERTAKE SUCH VERIFICATION RESPONSIBILITIES DESCRIBED ABOVE. HOWEVER, IN MANY REGIONS IT MIGHT BE PREFERABLE TO ESTABLISH STANDING REGIONAL BODIES OR SPECIAL ORGANS FOR THE OPERATION OF VERIFICATION PROCEDURES OTHER THAN THOS OF THE IAEA. ONE OF THE FUNCTIONS OF SUCH AGENCIES WOULD BE TO MONITOR AND CO-ORDINATE THE WORK OF APPROPRIATE NATIONAL AUTHORITIES RESPONSIBLE FOR THE NECESSARY VERIFICATION PROCEDURES IN EACH COUNTRY PARTY TO A NUCLEAR-WEAPON-FREE ZONE AGREEMENT. IN ADDITION, SUCH BODIES COULD THEMSELVES RUN REGIONAL DATA COLLECTION AND PROCESSING SYSTEMS AND CARRY OUT PERIODIC AND AD HOC INSPECTIONS. IT HAS BEEN PROPOSED THAT THEY COULD ALSO RELY ON ASSISTANCE FROM NON-ZONAL STATES AND OTHER SOURCES.
10. IN ESTABLISHING PROCEDURES FOR VERIFICATION, INCLUDING INVESTIGATIONS AND INSPECTIONS THE ZONE ARRANGEMENTS SHOULD PROVIDE FOR A PROCESS OF CONSULTATIONS BETWEEN COUNTRIES CONCERNED. A DETAILED CONSULTATION PROCEDURE WOULD PROVIDE AN IMPORTANT MEANS FOR DEALING WITH QUESTIONS OF SUSPECTED NON-COMPLIANCE AND WOULD ENSURE THAT CHALLENGES AND INSPECTIONS ARE NOT ABUSED.
11. IT MIGHT BE DESIRABLE TO PROVIDE FOR MULTILATERAL BODIES OF STATES PARTIES TO A NUCLEAR-WEAPON-FREE ZONE WITH THE TASK OF CONSIDERING REPORTS MADE BY A STANDING CONTROL AGENCY REGARDING THE IMPLEMENTATION OF THE PROVISIONS OF THE TREATY, AND OF MAKING RECOMMENDATIONS IN RESPECT OF SUCH IMPLEMENTATION, ON POSSIBLE INVESTIGATIONS AND INSPECTIONS, AND ON SUSPECTED VIOLATIONS. SUCH A BODY COULD ALSO TAKE NOTE OF FINDINGS CONCERNING IAEA SAFEGUARDS.

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THE PRECISEMANDATE OF SUCH MULTILATERAL BODIES WOULD HAVE TO BE SPECIFIED IN THE ZONE-TREATY ITSELF. ONE OBVIOUS RESPONSIBILITY OF SUCH MULTILATERAL BODIES WOULD BE TO CONSIDER ISSUES OF COMPLIANCE, WHEN CONSULTATIONS BETWEEN INDIVIDUAL STATES HAS FAILED TO SETTLE THE ISSUE. THE EXISTENCE OF SUCH A BODY SHOULD NOT EXCLUDE, HOWEVER, THE POSSIBILITY THAT SPECIAL ISSUES ARISING DURING THE COURSE OF A CONSULTATION PROCESS ARE REFERRED TO THE UN SECURITY COUNCIL OR GENERAL ASSEMBLY, OR TO THE INTERNATIONAL COURT OF JUSTICE.

2. SAFEGUARDS ON PEACEFUL USES OF NUCLEAR ENERGY

12. AS INDICATED IN THE PRECEEDING SUB-CHAPTER THE IAEA SAFEGUARD SYSTEM COULD PLAY AN IMPORTANT ROLE IN THE VERIFICATION OF THE IMPLEMENTATION OF NUCLEAR-WEAPON-FREE ZONE PROVISIONS. THE EXACT

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ROLE OF IEAR WOULD ESSENTIALLY BE DETERMINED BY TWO FACTORS. ONE IS THE PRECISE PROVISIONS OF THE AGREEMENTS ESTABLISHING ZONES AND THE TASKS GIVEN TO THE IAEA THEREIN. THE OTHER IS THE STATUTE OF THE IAEA PRESCRIBING WHAT DUTIES THE AGENCY CAN ASSUME. THE LATTER (ART.III.5) PERMITS THE AGENCY "TO APPLY SAFEGUARDS, AT THE REQUEST OF THE PARTIES, TO ANY BILATERAL OR MILTILATERAL ARRANGEMENT, OR AT THE REQUEST OF A STATE, TO ANY OF THAT STATE'S ACTIVITIES IN THE FIELD OF ATOMIC ENERGY."

13. IT WOULD THUS BE POSSIBLE TO SOLVE ONE PART OF THE VERIFICATION PROBLEM OF NUCLEAR-WEAPON-FREE ZONES, THAT OF ASSURING THAT THE NUCLEAR INDUSTRY OF ZONAL STATES WOULD NOT BE USED FOR THE MANUFACTURE OF NUCLEAR EXPLOSIVE DEVICES BY APPLYING IAEA SAFEGUARDS TO ALL NUCLEAR MATERIALS IN ZONAL STATES.

14. IF STATES WITHIN A ZONE ARE ALL PARTIES TO THE NPT AND THE PROVISIONS TO BE VERIFIED BY THE IEEA ARE IDENTICAL WITH THOSE OF THE NPT, APPLICATIONS OF AGENCY SAFEGUARDS COULD BE BASED ON THE NPT REGIME AS LONG AS THE ZONAL STATES CONTINUE TO BE PARTIES TO THAT TREATY AS WELL, AND AS LONG AS NPT CONTINUES IN FORCE.

15. IN ORDER TO MEET THE REQUIREMENTS OF ZONE-AGREEMENTS NOT HAVING PROVISIONS COMPLETELY IDENTICAL WITH THOSE OF THE NPT, OR HAVING PARTIES NOT SUBSCRIBING TO THE NPT, OR HAVING A PERIOD OF DURATION BEYOND THE POSSIBLE TERMINATION AFTER 1995, OF THE NPT, OR IN ORDER TO ABSORB THE POSSIBILITY THAT NPT-PARTY STATES MEMBERS OF THE ZONE WITHDRAW FROM THE NPT, IT WOULD BE NECESSARY TO SPECIFY WHICH TREATY OBLIGATIONS WILL BE BERIFIED BY APPLYING IAEA SAFEGUARDS IN ZONAL STATES. SUCH A SPECIFICATION WOULD PROVIDE THE LEGAL BASIS FOR APPLYING SAFEGUARDS IN THE ZONE.

16. AN OBLIGATION OF THE STATES INCLUDED IN A ZONE TO SUBMIT ALL THEIR NUCLEAR ACTIVITIES TO IAEA SAFEGUARDS WILL HAVE TO BE EXPRESSLY LAID DOWN IN THE CONSTITUENT INSTRUMENT OF THE ZONE. THE NECESSARY AGREEMENTS WITH IAEA MAY BE CONCLUDED IN ONE OF THREE WAYS: (A) BY LEAVING EACH STATE TO NEGOTIATE DIRECTLY WITH THE IAEA; (B) BY NEGOTIATING A COLLECTIVE AGREEMENT WITH IAEA AT THE SAME TIME AS THE CONSTITUENT TREATY; OR (C) BY INDIVIDUAL BUT SIM-

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ULTANEOUS NEGOTIATIONS BETWEEN IAEA AND THE PARTIES. IT COULD BE MORE EFFICIENT TO CONCLUDE A COLLECTIVE AGREEMENT WITH IAEA, PROVIDED THAT THIS COMES INTO FORCE FOR EACH STATE UPON ACCESSION TO THE TREATY CONSTITUTING THE ZONE; IN THIS WAY STATES WOULD COMPLY AT THE OUTSET WITH A CONDITION ESSENTIAL TO THE SATISFACTORY OPERATION OF THEIR ZONE. IN CASES WHERE COLLECTIVE NEGOTIATIONS ARE NOT POSSIBLE, PROVISIONS SHOULD BE MADE FOR THE SIMULTANEOUS
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ENTRY INTO FORCE OF THE ZONE-TREATY AND ALL SAFEGUARDS AGREEMENTS RELATED THERETO.
17. WHEN PROVIDING FOR A LEGAL BASIS FOR IAEA SAFEGUARDS AND APPLYING SAFEGUARDS IN ACCORDANCE WITH PROVISIONS OF SECERAL TREATIES, IT WOULD BE ESSENTIAL THAT ALL NUCLEAR ACTIVITIES OF A STATE ARE SUBJECT TO THE SAME SAFEGUARDS PROCEDURE.

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18. A RELATED QUESTION WOULD BE A POSSIBLE PROVISION THAT STATES

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IN A ZONE SHOULD APPLY STRINGENT STANDARDS OF PHYSICAL PROTECTION TO FISSIONABLE NATERIAL IN THE ZONE IN ORDER TO DIMINISH THE POSSIBILITY THAT TERRORIST OR SUBNATIONAL GROUPS, BY THEFT OR OTHERWISE COULD DIVERT SUCH MATERIAL AND MAKE THEIR OWN NUCLEAR WEAPONS.

3. INSPECTIONS

19. WHEN IAEA SAFEGUARDS ARE APPLIED INSPECTIONS WILL TAKE PLACE AS AN INTEGRAL PART OF THE PROCEDURE IN ACCORDANCE WITH THE SAFEGUARDS AGREEMENTS IN FORCE.

20. AS INDICATED IN SUB-CHAPTER 1 ABOVE, A STANDING CONTROL AGENCY OF A NUCLEAR-WEAPON-FREE ZONE COULD BE EMPOWERED WITH THE TASK OF CARRYING OUT BOTH ROUTINE AND AD HOC INSPECTIONS AS AN ELEMENT OF ITS PROCEDURE TO VERIFY THE IMPLEMENTATION OF OBLIGATIONS NOT ROUTINELY VERIFIED BY THE IAEA. SUCH INSPECTIONS COULD BE UNDERTAKEN BY THE CONTROL AGENCY ON ITS OWN INITIATIVE, AT THE REQUEST OF INDIVISUAL STATES PARTIES TO THE ZONE-AGREEMENT WITHIN A PRESCRIBED CONSULTATION PROCEDURE OR BY A MULTILATERAL BODY INSTITUTED BY THE ZONE AGREEMENT.

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21. THE TREATY OF TLATELOLCO PROVIDES FOR SUCH "SPECIAL INSPECTIONS" (ARTICLE XVI) WHILE THE TREATY OF ANTARCTICA (ARTICLE VII) PERMITS INSPECTIONS UNDERTAKEN BY CERTAIN PARTIES THEMSELVES.

4. ROLE OF THE IAEA, REGIONAL ORGANIZATIONS AND NATIONAL ORGANS

22. PROPER EXECUTION OF VERIFICATION PROCEDURES MAKES CLOSE CO-OPERATION BETWEEN THE VARIOUS AUTHORITIES ON BOTH THE INTERNATIONAL, REGIONAL AND NATIONAL LEVELS ESSENTIAL. SUCH CO-OPERATION MIGHT ALSO INCLUDE SEEKING RELEVANT INFORMATION FROM OUTSIDE SOURCES, POSSIBLY ON A ROUTINE BASIS. THE ROLE OF IAEA AND OF STANDING REGIONAL CONTROL AGENCIES HAS BEEN MENTIONED EARLIER.

23. THE ROLE OF THE IAEA WOULD BE TO ASSUME, IN ACCORDANCE WITH ITS STATUTE, THE RESPONSIBILITY FOR ALL SAFEGUARDS ENVISAGED IN THE ZONE-TREATY AND SUBSEQUENT AGREEMENTS BETWEEN THE IAEA, REGIONAL ZONE AUTHORITIES AND ZONAL STATES. CASES OF POSSIBLE NON-COMPLIANCE WILL BE REPORTED TO ITS BOARD OF GOVERNORS, WHO SHALL REPORT ANY NON-COMPLIANCE WHICH IT FINDS TO HAVE OCCURRED TO ALL MENBERS OF THE IAEA AND TO THE UN SECURITY COUNCIL AND THE GENERAL ASSEMBLY. THIS PROCEDURE MUST REMAIN, REGARDLESS OF ANY RESPONSIBILITIES ASSUMED BY A REGIONAL CONTROL AGENCY.

24. THE APPLICATION OF IAEA SAFEGUARDS TO THE NUCLEAR ACTIVITIES OF A COUNTRY PRESUMES THE EXISTENCE OF A NATIONAL OR REGIONAL AUTHORITY FOR ACCOUNTING AND CONTROL OF ALL NUCLEAR MATERIAL SUBJECT TO SAFEGUARDS. THE POSSIBILITY OF GIVING A NATIONAL AUTHORITY RESPONSIBILITY FOR THE IMPLENENTATION OF VERIFICATION PROCEDURES OTHER THAN THOSE OF IAEA HAS BEEN INDICATED ABOVE.

25. A REGIONAL BODY OR SPECIAL ORGAN RESPONSIBLE FOR VERIFICATION OF A ZONAL AGREEMENT MAY HAVE A WIDER AUTHORITY TO INVESTI-

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GATE SUSPECTED CASES OF NON-COMPLIANCE. IF SO, IT SEEMS REASONABLE TO SUGGEST THAT SUCH A CONTROL AGENCY, WOULD COMPARE IAEA FINDINGS WITH ITS OWN FINDINGS AND REPORT TO APPROPRIATE POLITICAL FORA. THIS MAY INCLUDE REPORTING CASES OF SUSPECTED VIOLATIONS TO THE SECURITY COUNCIL AND THE GENERAL ASSEMBLY THROUGH THE SECRETARY-GENERAL OF THE UNITED NATIONS. RESORT COULD ALSO BE MADE TO THE INTERNATIONAL COURT OF JUSTICE. THE PRECISE MANDATE AND PROCEDURE OF WORK OF SUCH REGIONAL BODIES OR SPECIAL ORGANS WOULD HAVE TO BE DEFINED IN ACCORDANCE WITH THE TREATY CONSTITUTING THE ZONE.

26. IT WAS STRESSED THAT USE COULD BE MADE OF THE FACT THAT THE UNITED NATIONS HAS THE POWER TO RECTIFY OR REMEDY INFRINGEMENTS OR

VIOLATIONS OF ZONAL TREATIES IN EXERCISE OF FUNCTIONS ASSIGNED TO IT BY ITS CHARTER ENSURING THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY.

27. IN ADDITION, BOTH IAEA AND REGIONAL CONTROL AGENCIES COULD BE ENTRUSTED BY STATES TO ASSIST IN THE CO-ORDINATION OF THE ACTIVITIES OF NATIONAL AUTHORITIES DEALING WITH VERIFICATION AND CONTROL.

5. CREATION OF AD HOC AGENCIES

28. IT HAS BEEN MENTIONED BEFORE THAT AD HOC AGENCIES MIGHT BE THE MOST USEFUL WAY OF ORGANIZING THE EXECUTION OF OVERALL VERIFICATION AND CONTROL OF NUCLEAR WEAPON-FREE ZONES. THIS IS ARGUED FOR TWO REASONS: (1) EXISTING REGIONAL ORGANIZATIONS MAY NOT BE SUITED TO SUCH FUNCTIONS, EITHER BECAUSE THEIR AIMS ARE MORE GENERAL OR, ON THE CONTRARY, RELATE TO OTHER SPECIALIZED MATTERS, AND (2) THE COMPOSITION OF SUCH ORGANIZATIONS MAY NOT CORRESPOND TO THAT OF A NUCLEAR-WEAPON-FREE ZONE, EITHER BECAUSE THEY INCLUDE A GREATER NUMBER OF STATES, SOME OUTSIDE THE ZONE, OR A SMALLER NUMBER OF STATES, SOME COUNTRIES WITHING THE ZONE MIGHT MORE EFFECTIVELY BE EXERCISED BY AN AD HOC AGENCY ESPECIALLY TAILORED TO THE COMPOSITION AND PURPOSES OF THE ZONE AND DESIGNED PRIMARILY FOR SUCH VERIFICATION AND CONTROL.

29. IN CERTAIN REGIONS WHERE THE NATURE OF RELATIONS MIGHT NOT PERMIT THE REALIZATION OF THE MINIMUM CO-OPERATION REQUIRED TO ENABLE ANY REGIONAL AGENCY TO FUNCTION IN A MEANINGFUL WAY, THE POSSIBILITY OF ASSIGNING ALL VERIFICATION RESPONSIBILITIES OF A NUCLEAR-WEAPON-FREE ZONE TO A SPECIAL ORGAN WITHIN THE IAEA STRUCTURE COULD BE CONSIDERED. HOWEVER, SUCH A PROVISION WOULD GO BEYOND THE TASK AT PRESENT UNDERTAKEN BY IAEA AND MIGHT DEPENDING ON THE NATURE OF THE TASK EVEN IMPLY AMENDING THE AGENCY'S STATURE. END TEXT.DALE

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